

Appl. No. 09/881,515

Amdt dated July 28, 2003

Reply to Office Action of July 21, 2003

### REMARKS

In the Official Action the Examiner allowed Claims 1-13 and 17. Claims 14-16 were rejected under 35 U.S.C. § 112 as being indefinite. Claim 18 was objected to due to a typographic error.

Applicant has amended Claims 14 and 18 to address the basis for rejection and objection, respectively, raised by the Examiner. Specifically, the Examiner considered the term "just beneath" to render the claim indefinite in that it could not be determined how far beneath the diverter retaining projection the diverter plate may lie while still being "just beneath". Claims 15 and 16 were rejected as being indefinite since they are dependent upon Claim 14.

Applicant has amended Claim 14 by deleting the word "just" from line 6 of that claim. As illustrated in Fig. 8, and as described in the Specification at page 16, lines 5-13, the diverter plate 36a, best illustrated in Fig. 5, lies below the inwardly projecting diverter engaging ring 143 at the groove 145. By deleting the word "just" it is believed that any indefiniteness in Claim 14 has now been corrected. With this correction Claims 15 and 16 are likewise corrected.

Claim 18 was objected to in that the letter "a" before the numeral "13" was a typographical error. Applicant has amended Claim 18 to delete that word, and thereby correct this typographical error.

The Examiner also objected to the disclosure of the Specification as failing to refer

Appl. No. 09/881,515  
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to drawing numerals 14a, 20a, and 22a, which appear in the drawings. Applicant has amended the Specification at page 14, lines 4-6 to correct this error. The reference numbers 14a, 20a, and 22a now refer to the corresponding parts of the battery cap 12a that appear in the prior art battery cap 12 and which are described in the Specification at page 12, lines 9 and 16-18. As set forth at page 5, lines 4-6 of U.S. Application Serial No. 08/978,693 filed November 26, 1997, now abandoned, upon which the present application claims priority, the same elements and features in the various drawing figures are given the same reference numbers as those originally given with respect to the prior art device, but with the letter "a" following. A copy of page 5 of U.S. Application Serial No. 08/978,693 is enclosed herewith for the convenience of the Examiner.

The Examiner also objected to certain inconsistencies in the drawings. Specifically, as the Examiner correctly observed, the reference numeral 100 is used to indicate two different items in Fig. 5. Accordingly, a substitute sheet of drawings, including Fig. 5, is presented herewith. In the substitute sheet the reference number "100" directed to the flame arrester disc has been changed to the reference number "102" so that it is now consistent with the Specification.

Likewise, the Examiner indicated that Fig. 1 illustrated conventional battery caps, and thus should be labeled "prior art", like Fig. 3. Accordingly, Applicant presents herewith a substitute sheet of drawing Figs. 1-3 in which this correction has been made.

In reviewing the Specification Applicant also noted a typographical error that

Appl. No. 09/881,515  
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appears at page 12, line 9. That is, the word "of" should not appear between the word "portion" and the reference numeral "14". Accordingly, page 12 has been corrected as indicated in the marked-up copy of that page presented herewith.

It is believed that all of the objections and rejection of claims have been properly addressed as required by the Examiner. Accordingly, Applicant believes that the present application is now in a condition for allowance and therefore requests allowance of all claims and passage of the application to issue in due course.

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Respectfully submitted,



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